

Message

From: Rosenblatt, Daniel [Rosenblatt.Dan@epa.gov]
Sent: 11/3/2020 10:59:21 PM
To: Messina, Edward [Messina.Edward@epa.gov]; Goodis, Michael [Goodis.Michael@epa.gov]; Echeverria, Marietta [Echeverria.Marietta@epa.gov]
CC: Aubee, Catherine [Aubee.Catherine@epa.gov]
Subject: RE: 24(c) Web Page

Ed – Mike – yes – confirming we'll quickly queue up the different text that needs to come down off the web page and/or be modified on the OMB form. Certainly – we can execute on the web changes directly. We've already reached out to FEAD/CSB on this. But I can loop back to Greg and underscore the work is a priority.

From: Messina, Edward <Messina.Edward@epa.gov>
Sent: Tuesday, November 3, 2020 4:58 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Cc: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: RE: 24(c) Web Page

Alex also mentioned some language on the application, where there was a checkbox indicating more restrictive?

Ed Messina, Esq.
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Office of Pesticide Programs
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Washington, D.C.
p: (703) 347-0209

From: Goodis, Michael <Goodis.Michael@epa.gov>
Sent: Tuesday, November 03, 2020 4:27 PM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: RE: 24(c) Web Page

Alex is fine with taking the text down on the website that was posted in spring 2019.
Before we do, she would also like us to scrub the rest of the web page and links for areas where we allow for more restrictive 24cs.
Do you think we can do that review by next week?

Michael L. Goodis, P.E.
Acting Deputy Director for Programs
Office of Pesticide Programs
Office of Chemical Safety and Pollution Prevention

U.S. Environmental Protection Agency
Washington, D.C.
703-308-8157

From: Goodis, Michael
Sent: Friday, October 30, 2020 2:34 PM
To: Echeverria, Marietta <Echeverria.Marietta@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: RE: 24(c) Web Page

I agree.

Btw I recall Claire pulled some of this info together late last year, but OBE now.

Michael L. Goodis, P.E.
Acting Deputy Director for Programs
Office of Pesticide Programs
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Washington, D.C.
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From: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Sent: Friday, October 30, 2020 2:03 PM
To: Goodis, Michael <Goodis.Michael@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>
Cc: Rosenblatt, Daniel <Rosenblatt.Dan@epa.gov>; Aubee, Catherine <Aubee.Catherine@epa.gov>
Subject: RE: 24(c) Web Page

Thanks Mike. Now that Alex has told the AAPCO board in no uncertain terms what the statutory language requires, I don't see a need to do a lot of analysis on previous 24cs. I suggest we get this on Greg's comms tracker and work on the web updates. Ok?

From: Goodis, Michael <Goodis.Michael@epa.gov>
Sent: Friday, October 30, 2020 11:23 AM
To: Messina, Edward <Messina.Edward@epa.gov>
Cc: Echeverria, Marietta <Echeverria.Marietta@epa.gov>
Subject: RE: 24(c) Web Page

Ed

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

We can add this to the agenda for our next general with Alex to talk through.

Posted Spring 2019

Each year, EPA receives many notifications of special local needs registrations from states under section 24(c) of FIFRA. Section 24(c) states that "A State may provide registration for additional uses of federally registered pesticides formulated for distribution and use within the state to meet special local needs . . ." EPA currently receives approximately 300 notifications of 24(c) registrations annually. Many of these special local needs registrations are for additional uses not authorized by the federal label – e.g., applying the pesticide to a different crop to address an outbreak of disease, adding an alternative application method that suits the practices of that state, or adding a new pest species that is not on the federal label. However, rather than providing for state registration of additional uses not included on the federal label, some special local needs registrations are more narrow than the federal label, such as to add a more restrictive cut-off date, to add training and certification requirements, or to restrict the use directions by limiting the number of treatments permitted by the federal label.

Because section 24(a) allows states to regulate the use of any federally registered pesticide, and some states have instead used 24(c) to implement cut-off dates (and/or impose other restrictions), EPA is now re-evaluating its approach to reviewing 24(c) registrations and the circumstances under which it will exercise its authority to disapprove those registrations. Before making any changes in this regard, EPA intends to take public comment on any potential new approaches before adopting them.

EPA is not making any immediate changes in this area and does not expect any potential changes will impact 24(c) registrations that states approve ahead of the 2019 growing season.

Michael L. Goodis, P.E.
Acting Deputy Director for Programs
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-----Original Appointment-----

From: Garrison, Scott <Garrison.Scott@epa.gov>

Sent: Wednesday, October 28, 2020 9:36 AM

To: Garrison, Scott; Cole, Joseph E.; Koch, Erin; Knorr, Michele; Keigwin, Richard; Messina, Edward; Goodis, Michael

Cc: Echeverria, Marietta; Rosenblatt, Daniel; Aubee, Catherine

Subject: RE: 24(c) Web Page

When: Friday, October 30, 2020 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Importance: High

-----Original Appointment-----

From: Garrison, Scott <Garrison.Scott@epa.gov>

Sent: Wednesday, October 28, 2020 9:36 AM

To: Garrison, Scott; Cole, Joseph E.; Koch, Erin; Knorr, Michele; Keigwin, Richard; Messina, Edward; Goodis, Michael

Subject: RE: 24(c) Web Page

When: Friday, October 30, 2020 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Importance: High

This 15 minute window on Monday is the earliest where everyone on the email except Joe is available. Rick and Ed seem booked solid, Mike and Joe slightly less so.

From: Keigwin, Richard
Sent: Wednesday, October 28, 2020 9:21 AM
To: Garrison, Scott; Knorr, Michele; Koch, Erin
Cc: Cole, Joseph E.; Messina, Edward; Goodis, Michael
Subject: RE: 24(c) Web Page

Importance: High

Thanks Scott. Happy to do a quick call with OGC and OPP, if that would help.

From: Garrison, Scott <Garrison.Scott@epa.gov>
Sent: Wednesday, October 28, 2020 9:16 AM
To: Keigwin, Richard <Keigwin.Richard@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>
Cc: Cole, Joseph E. <cole.josephe@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>
Subject: RE: 24(c) Web Page

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Ex. 5 Deliberative Process (DP) / Attorney-Client

Scott Garrison

ED_006409_00005248-00004

Pesticides and Toxic Substances Law Office (2333A)

Office of General Counsel

U.S. Environmental Protection Agency

202-564-4047

garrison.scott@epa.gov

From: Keigwin, Richard <Keigwin.Richard@epa.gov>

Sent: Wednesday, October 28, 2020 8:58 AM

To: Garrison, Scott <Garrison.Scott@epa.gov>; Knorr, Michele <knorr.michele@epa.gov>; Koch, Erin <Koch.Erin@epa.gov>

Cc: Cole, Joseph E. <cole.josephe@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>

Subject: 24(c) Web Page

Importance: High

During my check-in with Alex this morning, she mentioned that she thought we needed to update the FIFRA 24(c) webpage ([https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations#:~:text=Section%2024\(c\)%20states%20that,24\(c\)%20registrations%20annually.](https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations#:~:text=Section%2024(c)%20states%20that,24(c)%20registrations%20annually.)), particularly in light of yesterday's announcement. I've already received a few calls from states – I'm sure others have, as well – about some of the statements made in conjunction with the announcement and how we will operate the 24(c) program moving forward.

OCSPP would appreciate any advice that OGC might have on how to revise/update this language.

For OPP, we probably also need to look at the forms and the guidance documents to see what updates might be needed there (if any).

--Rick

Rick Keigwin

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